

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

United States of America,)
 Plaintiff,)
vs.) Case No. 05-0419-01-CR-W-FJG
Johnny L. Stanley,)
 Defendant.)

ORDER

Pending before the Court is defendant's motion to suppress (Doc. #48, August 7, 2008); the government's response (Doc. #50, August 19, 2008); the government's supplemental memorandum (Doc. #54, September 23, 2008); and the defendant's memorandum (Doc. #60, October 15, 2008).

On September 9, 2008, United States Magistrate Robert E. Larsen held a hearing on the motion to suppress evidence. Thereafter on October 23, 2008, United States Magistrate Larsen entered a report and recommendation (Doc. #66) which recommended denying the above-mentioned motion. Defendant's objections to Magistrate Larsen's report and recommendation were filed on October 30, 2008 (Doc. #68). The government responded to those objections on November 11, 2008 (Doc. #71).

The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the magistrate's findings and conclusions. Therefore, the Court finds that defendant's motion to suppress (Doc. #48), filed August 7, 2008, must be denied.

Accordingly, it is

ORDERED that the magistrate's findings and conclusions are hereby adopted and incorporated herein by reference. It is further

ORDERED that defendant's motion to suppress (Doc. #48), filed August 7, 2008, is denied.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
Chief United States District Judge

Dated: 11/6/08
Kansas City, Missouri

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